

DOCUMENT
ELECTRONICALLY FILED
DOC#:
DATE FILED: 8/17/10

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
In re

DELPHI CORPORATION, et al.,

Debtors.

-----X
PLYMOUTH RUBBER COMPANY,

Appellant,

- against -

DELPHI CORPORATION,

Appellee.
-----X

NAOMI REICE BUCHWALD
UNITED STATES DISTRICT JUDGE

Chapter 11

Case No. 05-44481
(RDD)

Jointly Administered

O R D E R

09 Civ. 8408 (NRB)

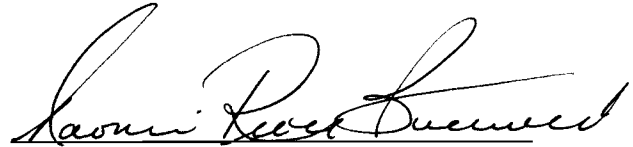
WHEREAS United States Bankruptcy Judge Robert D. Drain denied Plymouth Rubber Company's ("PRC") motion for an Order Deeming the Administrative Claim of PRC Timely Filed in an Order, dated August 28, 2009, issued following a thorough explanation of his reasoning on the record of a Hearing held August 20, 2009; and

WHEREAS Plymouth Rubber Company appealed that decision on October 5, 2009; and

WHEREAS, having considered all the submissions on appeal and having held oral argument on the appeal on July 13, 2010; it is hereby

ORDERED that the Order of the Bankruptcy Court is affirmed for the reasons stated by Judge Drain on the record at the August 20, 2009 Hearing and in the August 28, 2009 Order.

Dated: New York, New York
August 17, 2010


NAOMI REICE BUCHWALD
UNITED STATES DISTRICT JUDGE

Copies of the foregoing Order have been mailed on this date to the following:

Robert S. Hertzberg
Deborah Kovsky-Apap
Pepper Hamilton, LLP (MICH)
100 Renaissance Center
Suite 3600
Detroit, MI 48243

John Wm. Butler, Jr.
Albert L. Hogan III
John K. Lyons
Ron E. Meisler
Skadden, Arps, Slate Meagher & Flom
155 North Wacker Drive
Chicago, IL 60606

Kayalyn A. Marafoti
Skadden, Arps, Slate, Meagher & Flom, LLP
Four Times Square
New York, NY 10036